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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Erika McCants, an individual; and David Mark Goso, an individual,

Plaintiffs,

v.

United States Postal Service; Ashton Paul Yager, an individual; DOE Owners I-V; DOE Drivers I-V; ROE Employers I-X; and ROE Companies I-X, inclusive, jointly and severally,

Defendants.

Case No. 2:24-cv-02063-CDS-DJA

**STIPULATION TO AMEND
COMPLAINT**

Pursuant to Federal Rule of Civil Procedure 15(a), Erika McCants and David Mark Goss (“Plaintiffs”), through their counsel, and the United States of America (“United States”), on behalf of the Federal Defendant, through undersigned counsel, hereby agree and stipulate and agree as follows:

1. Plaintiffs filed this action in the Eighth Judicial District Court in Clark County, Nevada, as Case No. A-24-896474-C, on June 29, 2024, for personal injuries allegedly sustained in a traffic accident with a United States Postal Service vehicle.

2. The Federal Defendant removed this action to the United States District Court for the District of Nevada on November 5, 2024 (ECF No. 1).

1 3. On November 5, 2024, the Federal Defendant filed a Motion for Extension of
2 Time to File Response to Complaint (ECF No. 2).

3 4. Plaintiffs did not oppose the United States' Motion for Extension of Time and
4 this Court granted it, ordering that the United States respond to Plaintiffs' complaint by
5 January 5, 2025 (ECF No. 5).

6 5. On December 30, 2024, the parties filed a Stipulation for Extension of Time to
7 File Response to Complaint (ECF No. 7) that the Court granted, extending the deadline for
8 Federal Defendant to respond to January 28, 2025 (ECF No. 8).

9 6. Plaintiffs have agreed to amend their complaint to reflect that the United States
10 is the proper defendant in this action.

11 7. The parties agree that Plaintiffs shall amend their complaint to change the
12 named defendants from "United States Postal Service; Ashton Paul Yager, an individual;
13 DOE Owners I-V; DOE Drivers I-V; ROE Employers I-X; and ROE Companies I-X,
14 inclusive, jointly and severally" to the "United States of America."

15 8. Plaintiffs shall file their amended complaint no later than February 14, 2025.

16 9. Federal Defendant shall have through March 7, 2025, to file a response to the
17 amended complaint.

18 Therefore, the parties request that the Court enter an order that:

19 1. Plaintiff shall file an amended complaint no later than February 14, 2025,
20 changing the named defendants from "United States Postal Service; Ashton Paul Yager, an
21 individual; DOE Owners I-V; DOE Drivers I-V; ROE Employers I-X; and ROE
22 Companies I-X, inclusive, jointly and severally" to the "United States of America."

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1 2. Federal Defendant shall have through March 7, 2025, to respond to
2 Plaintiffs' amended complaint.

3 Respectfully submitted this 27th day of February 2025.

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5 SUE FAHAMI
6 Acting United States Attorney

7 /s/ Jacob G. Leavitt
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10 Las Vegas, Nevada 89102

11 *Attorney for Plaintiff*

12 /s/ Karissa D. Neff
13 KARISSA D. NEFF
14 Assistant United States Attorney
15 *Attorneys for the United States*

16 IT IS SO ORDERED:

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19 UNITED STATES MAGISTRATE JUDGE
20 DATED: 1/27/2025
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